

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RUSSELL DANIELS,

No. C-13-02468 DMR

Plaintiff(s),

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE**

v.

GREGORY J. AHERN,

Defendant(s).

On June 3, 2013, Plaintiff Russell Daniels filed suit in this Court along with an application to proceed *in forma pauperis* ("IFP"). [Docket Nos. 1, 2.] On September 20, 2013, the court granted Plaintiff's IFP application and dismissed the Complaint with leave to amend. [Docket No. 9.] The court ordered Plaintiff to file an amended complaint by no later than October 10, 2013. No amended complaint has been filed. Accordingly, the court ORDERS Plaintiff to respond by **October 28, 2013** and explain why this case should not be dismissed for failure to prosecute. Failure to respond by October 28, 2013 may result in dismissal of this action.

IT IS SO ORDERED.

Dated: October 16, 2013

DONNA M. RYU
United States Magistrate Judge

